

040804

16367 U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006.

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

GJE-44D1

First Inventor

Robert Graham Feldman

Title

Attenuated Microorganisms for the Treatment of Infection

Express Mail Label No.

ER 716411609 US

22278 U.S. PTO
10/822053

040804

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification Total Pages 19
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed Sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) Total Sheets _____
5. Oath or Declaration Total Sheets 3
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☒ paper (6 pages)
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Claim of Priority Under 35 USC §119;
Request to Use CRF from Prior Application

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the
specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP)

of prior application No.: 09/569,601

Prior application information:

Examiner Albert Mark NavarroArt Unit 1645

For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label23557

or

☐ Correspondence address below

Name

Address

City

Country

State

Telephone

Zip Code

Fax

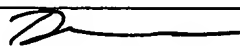
Name (Print/Type)

Doran R. Pace

Registration No. (Attorney/Agent)

38,261

Signature



Date

April 8, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

H:\doc\PatentAppCoverSheet\GJE-44D1.doc/DNB/mdp

DOCKET NO. GJE-44D1

FEE TRANSMITTAL FORM

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Transmitted herewith for filing is the patent application of:

Inventors: Robert Graham Feldman, Gordon Dougan, Joseph David Santangelo, David William Holden, Jacqueline Elizabeth Shea, Zoe Hindle

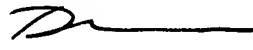
Entitled: Attenuated Microorganisms for the Treatment of Infection

- ☒ A Utility Patent Application Transmittal Form accompanies this Fee Transmittal Form.
☒ The Filing Fee is calculated below:

CLAIMS AS FILED				
	Number filed	Number Extra	Rate	Fee
Basic Fee			\$770.00	\$770.00
Total Claims	16 - 20 =	0	x \$9	\$ 0.00
Independent Claims	3 - 3 =	0	x \$43	\$ 0.00
Presentation of Multiple Dependent Claim(s) (\$145)				\$ 0.00
Total Filing Fee				\$770.00

- ☒ Please charge \$770.00 to Deposit Account No. 19-0065. Two copies of this sheet are enclosed.
☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required, or credit any overpayment, to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.
☒ This application is being mailed by Express Mail under 37 CFR 1.10 and the required certificate appears below.

April 8, 2004
Date

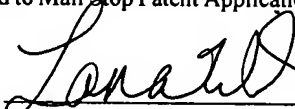

Attorney of Record

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail No.: ER716411609US Date of Deposit: April 8, 2004

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

Lana K. Wilson
Name of person mailing paper


Signature